

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

PADEN AMARU CLAY,	§	
Petitioner,	§	
VS.	§	CIVIL ACTION NO.4:10-CV-004-Y
	§	
RICK THALER,	§	
Director, T.D.C.J.	§	
Correctional Institutions Div.,	§	
Respondent.	§	

ORDER ADOPTING MAGISTRATE JUDGE'S FINDINGS AND CONCLUSIONS AND,
TRANSFERRING CASE TO THE
UNITED STATE COURTS OF APPEALS FOR THE FIFTH CIRCUIT

In this action brought by petitioner Paden Amaru Clay under 28 U.S.C. § 2254, the Court has made an independent review of the following matters in the above-styled and numbered cause:

1. The pleadings and record;
2. The proposed findings, conclusions, and recommendation of the United States magistrate judge filed on January 6, 2010; and
3. The petitioner's written objections to the proposed findings, conclusions, and recommendation of the United States magistrate judge filed on January 25, 2010 and on February 3, 2010.

The Court, after **de novo** review, concludes that Petitioner's objections must be overruled, and that the petition for writ of habeas corpus should be transferred to the United States Court of Appeals for the Fifth Circuit, for the reasons stated by the magistrate judge.

Therefore the findings, conclusions and recommendation of the magistrate judge are ADOPTED.

Paden Amaru Clay's petition for writ of habeas corpus is TRANSFERRED to the United States Court of Appeals for the Fifth Circuit.

SIGNED March 10, 2010.


TERRY R. MEANS
UNITED STATES DISTRICT JUDGE